Application Serial No.: 09/884,478   Attorney Docket No.: 64118.000010

REMARKS

Claims 1-48 are pending in the application. By this Amendment, claims 1, 8, 13, 19,

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25, 30 and 39 are amended. No new matter has been added by this amendment.

A.   The Interview of June 28, 2006

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Applicant's representative, James Miner, appreciates the courtesies extended by

Examiner Russell and Examiner Thomas in the telephone conference of June 28, 2006. In

the telephone conference, various aspects of the claimed invention, the disclosed invention

and the applied art were discussed vis-à-vis the applied art. The substance of the Interview is

further discussed below.

B.   The Objection to the Claims

In the Office Action, claim 47 is objected to. The Office Action asserts the claim

fails to follow dependant claim 14 upon which it depends, and that a series of singular

dependent claims is permissible in which a dependent claim refers to a preceding claim

which, in turn, refers to another preceding claim. The Office Action asserts a claim which

depends from a dependent claim should not be separated by any claim which does not also

depend from said dependent claim, and that it should be kept in mind that a dependent claim

may refer to any preceding independent claim. The Office Action asserts that in general,

applicant's sequence will not be changed. See MPEP § 608.01 (n).

In the June 28, 2006 Interview the objection to the claim was discussed. The

Examiners indicated that the claims would be appropriately renumbered upon allowance of

the patent application. Accordingly, Applicant will not take action regarding such

renumbering at this time.

C.   The Rejection Based on Joao and Soll

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In the Office Action, claims 1-13, 15-19,25-39, and 41-46 are rejected under 35

U.S.C. 103(a) as being unpatentable over Joao, (U.S. Pub. 2001/0032099) in view of Soll et

al., (U.S. Pub. 2003/0055679). This rejection is traversed.

The Office Action asserts that as per claim 1, the collective system of Joao and Soll

disclose an electronic patient healthcare system for guiding a patient along a treatment

pathway, related to a medical event, by educating and preparing the patient for the medical

event and post-event recovery. The Office Action then sets out various detail as to the

manner in which Joao and Soll allegedly teach the claimed invention. Applicant respectfully

submits that the proposed combination fails to teach each and every feature of the claimed

invention.

The Office Action asserts that Joao teaches (a) a healthcare information provider

system including a storage device and electronically displayable files containing health

information associated with the medical event and retrievably stored on said storage device,

the storage device further including a registered patient database for storing information

regarding patients being guided by the electronic patient healthcare system and a registered

practitioner database for storing information regarding practitioners treating the patients

being guided by the electronic patient healthcare system (Joao, 23, 66, 69, 20, 23, 50); and

(b) a patient terminal device in electronic communication with said healthcare

information provider system and including an input device and a display device adapted

to display said electronically displayable files (Joao, Fig. 1, 1m 134-135, 137, 139).

The Office Action also sets forth various alleged teachings of Soll. The Office Action

asserts Soll teaches wherein said electronically displayable files include at least one pre-

event set of electronically displayable files containing health information for preparing and

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educating the patient for the medical event, and at least one post-event set of electronically

displayable files containing health information for preparing and educating the patient

for post-event recovery so as to guide the patient along the treatment pathway, (Soll,

Abstract, 64, 65, 97, 174-183).

The Office Action also asserts that Soll teaches at least one of the pre-event and post-

event sets of files including a task file that instructs the patient to perform a predetermined

task, the predetermined task including at least two of scheduling an appointment with a

medical professional, purchasing a medical product, taking a medical quiz, and evaluating at

least one of a medical practitioner and a medical service facility (Soll, 174-183) (post-event

files used to instruct patient to evaluate the medical practitioner and to schedule an

appointment).

In the Interview, the Examiners asserted that generally Joao is relied on in the Office

Action for allegedly teaching the overall architecture of the claimed invention, while Soll is

relied for allegedly teachings particulars of the claimed invention. On page 3, the Office

Action asserts Joao fails to disclose a system for guiding a patient along a treatment pathway,

related to a medical event, by educating and preparing the patient for the medical event and

post-event recovery, but that however, such a system is well known in the art as shown above

by reference to Soll. The Office Action asserts that it would be obvious to one of ordinary

skill in the art to combine Joao and Soll, and that the motivation would be to improve health

care delivery to patients and better manage the process of providing health care, such system

also providing high-quality health care at lower costs. This rejection is traversed.

Claim 1 is amended to further recite the claimed invention. Claim 1 recites an

electronic patient healthcare system for guiding a patient along a treatment pathway, related

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to a medical event, by educating and preparing the patient for the medical event and post-

event recovery, comprising: a healthcare information provider system including a storage

device and electronically displayable files containing health information associated with the

medical event and retrievably stored on said storage device, the storage device further

including a registered patient database for storing information regarding patients being